

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
**P26,630-A USA**

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D. and  
Christopher F. Lumpkin**

Serial No.  
**10/765,350**

Filing Date  
**01/27/2004**

Examiner  
**N/A**

Group Art Unit  
**3739**

Title: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

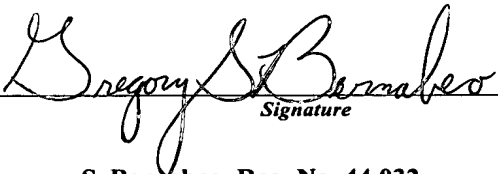
Transmitted herewith is:

**Response to Missing Parts dated June 15, 2004 and Petition for Extension of Time (5 months).**

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-5425**  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

X Credit Card Authorization Form

  
Signature

Dated: **January 14, 2005**

**Gregory S. Bernabeo, Reg. No. 44,032  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107  
Tel: 215-923-4466  
Fax: 215-923-2189**

I certify that this document and fee is being deposited  
January 14, 2005 with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Director of the United States Patent and Trademark Office,  
P.O. Box 1450, Alexandria, VA 22313-1450.  
**PLEASE STOP MISSING PARTS - COMM. FOR PATENTS**

Signature of Person Mailing Correspondence

**Kathy P. Higgins**

Typed or Printed Name of Person Mailing Correspondence

CC:

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**P26,630-A USA**

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D., and  
Christopher F. Lumpkin**

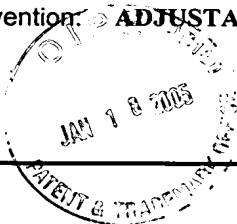
Serial No.  
**10/765,350**

Filing Date  
**01/27/2004**

Examiner  
**N/A**

Group Art Unit  
**3739**

Invention: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**



Mail Stop Missing Parts

TO THE COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
June 15, 2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☒ Other (list):

**Drawings - Figures 2, 2a, 2b, 3, 4, 7a-c.  
Petition For Extension of Time (5 months)**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**P26,630-A USA**

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D., and  
Christopher F. Lumpkin**

Serial No.  
**10/765,350**

Filing Date  
**01/27/2004**

Examiner  
**N/A**

Group Art Unit  
**3739**

Invention: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**

**TO THE COMMISSIONER FOR PATENTS:**

**Mail Stop Missing Parts**

☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☐ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \_\_\_\_\_

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees \_\_\_\_\_

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month      ☐ Two months      ☐ Three months      ☐ Four months      ☒ Five months

from: **August 15, 2004**  
Date

until: **January 15, 2005**  
Date

Total time extension fees **\$1,080.00**

Total fees due **\$1,080.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
**P26,630-A USA**

In Re Application Of: **Michael McGowan, Charles R. Hurst, Jr., Harry Michael Lambert, M.D., and  
Christopher F. Lumpkin**

Serial No.  
**10/765,350**

Filing Date  
**01/27/2004**

Examiner  
**N/A**

Group Art Unit  
**3739**

Invention: **ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY**

**TO THE COMMISSIONER FOR PATENTS:**

**Mail Stop Missing Parts**

The fee of **\$1,080.00** is to be paid as follows:

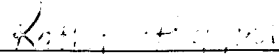
- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-5425**
- X** Credit Card Authorization Form

  
Signature

Dated: **January 14, 2005**

**Gregory S. Bernabeo, Reg. No. 44,032  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950  
Tel: 215-923-4466  
Fax: 215-923-2189**

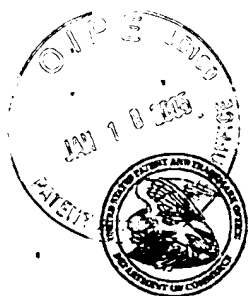
I certify that this document and fee is being deposited  
on **January 14, 2005** with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450. **MAIL STOP MISSING PARTS**

  
Signature of Person Mailing Correspondence

**Kathy P. Higgins**

Typed or Printed Name of Person Mailing Correspondence

CC:



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/765,350	01/27/2004	Michael J. McGowan	P26,630-A USA

23307  
 SYNNESTVEDT & LECHNER, LLP  
 2600 ARAMARK TOWER  
 1101 MARKET STREET  
 PHILADELPHIA, PA 191072950

CONFIRMATION NO. 1070

## FORMALITIES LETTER



\*OC000000012942652\*

ENTERED COMPUTER

8-15-04

Date Mailed: 06/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 2,2a,2b,3,4,7a-c.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

FOR FILE	26680-A USA
RECEIVED	
JUN 18 2004	
SYNNESTVEDT & LECHNER	
ATTN: AB/CAH/CSB	

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY